

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

TITO FLORES,

Plaintiff,

v.

Civil Action No. 1:08cv675 LMB/TRJ

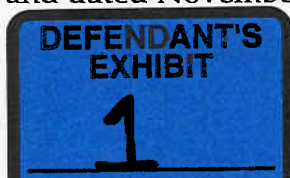
NATIONSTAR MORTGAGE LLC, et al.,

Defendants.

**DECLARATION OF RON FOUNTAIN IN SUPPORT OF
NATIONSTAR'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Ron Fountain, declare as follows:

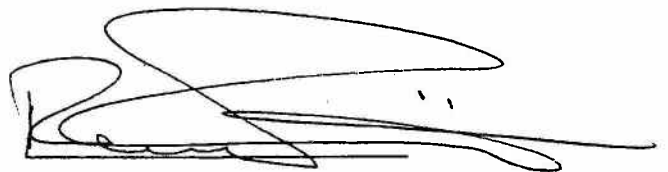
1. I am Vice President – Associate General Counsel for Defendant Nationstar Mortgage LLC (“Nationstar”).
2. I submit this affidavit in support of Nationstar’s Motion for Partial Summary Judgment against Plaintiff Tito Flores (“Plaintiff”).
3. I have knowledge of the facts and circumstances set forth in this declaration based on my review of Nationstar’s records.
4. Plaintiff’s loan closed on November 17, 2006, and funded after the expiration of the rescission period on November 22, 2006.
5. Attached as Exhibit “A” to this declaration is a true and accurate copy of the final Truth in Lending Disclosure Statement from the files of Nationstar that was signed by Plaintiff and dated November 17, 2006.



6. Attached as Exhibit "B" to this declaration is a true and accurate copy of the HUD-1 Settlement Statement from the files of Nationstar which was also provided to Plaintiff at closing.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 23rd day of October, 2008.

A handwritten signature in black ink, appearing to be a stylized representation of a name, possibly "R. J. ...".

SETTLEMENT STATEMENT

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

File Number: [REDACTED]

FINAL

Optional Form for

OMB Approval No. 2502-0265 (expires 9/30/2006) Mtg. Ins. Case Number: [REDACTED]

Transactions without Sellers

NAME OF BORROWER:	TITO FLORES		
ADDRESS:	[REDACTED] Manassas, VA 20109		
NAME OF LENDER:	Fremont Investment & Loan, ISAOA		
ADDRESS:	555 Taxter Road, Elmsford, NY 10523		
PROPERTY ADDRESS:	[REDACTED], Manassas, VA 20109		
SETTLEMENT AGENT:	Presidential Title Company, LLC, Telephone: 703-748-0909 Fax: 703-748-6060		
PLACE OF SETTLEMENT:	1960 Gallows Road, Suite 220, Vienna, VA 22182		
Loan Number:	SETTLEMENT DATE:	DISBURSEMENT DATE:	
	11/17/2006	11/22/2006	
Settlement Charges		M. Disbursement to Others	
300. Items Payable in Connection with Loan		1501.	
301. Loan Origination Fee 0.000% to		1502. Payoff [REDACTED]	264,303.44
302. Loan Discount 0.000% to		to Washington Mutual	
303. Appraisal Fee to Real Estate Appraisers P.O.C. 350.00	30.00	1503.	
304. Credit Report to Home Funding Group, LLC	1,018.00	1504.	
305. Underwriting Fee to Fremont Investment & Loan, ISAOA	48.00	1505.	
306. Tax Service Fee to LandAmerica	7.50	1506.	
307. Flood Certification Fee to LandAmerica	11,953.13	1507.	
308. Broker Fee 3.7500% to Home Funding Group, LLC	595.00	1508.	
309. Processing Fee to Home Funding Group, LLC		1509.	
300. Items Required by Lender to be Paid in Advance	668.07	1510.	
301. Interest From 11/22/2006 to 12/01/2006 @\$74.2300 per day		1511.	
302. Mortgage Insurance Premium for to		1512.	
303. Hazard Insurance Premium for to P.O.C. 1,095.00	1,425.57	1513.	
304. 2nd Half Tax to Prince William County Treasury		1514.	
1000. Reserves Deposited with Lender	1,186.25	1515.	
1001. Hazard Insurance 13 mo. @ \$ 91.25 per month		1516.	
1002. Mortgage Insurance mo. @ \$ per month		1517.	
1003. City Property Taxes mo. @ \$ per month		1518.	
1004. County Property Taxes 2 mo. @ \$ 237.60 per month	475.20	1519.	
1005. Annual Assessments mo. @ \$ per month		1520. TOTAL DISBURSED	264,303.44
1006. mo. @ \$ per month		(enter on line 1603)	
1007. mo. @ \$ per month		N. NET SETTLEMENT	
1008. mo. @ \$ per month		1600. Loan Amount	318,750.00
1009. Aggregate Analysis Adjustment to Fremont Investment & Loan, ISAOA	-566.45	1601. PLUS Cash/Check from Borrower	0.00
1100. Title Charges	195.00	1602. MINUS Total Settlement Charges	19,274.54
1101. Settlement or closing fee to Presidential Title Company, LLC	60.00	(line 1400)	
1102. Abstract or title search to HBS Title Enterprises, Inc.		1603. MINUS Total Disbursements to Others	264,303.44
1103. Title examination	100.00	(line 1520)	
1104. Title Insurance Binder to Presidential Title Company, LLC	✓ 50.00	1604. EQUALS Disbursements to borrower	35,172.02
1105. Title Review Fee to Presidential Title Company, LLC		(after expiration of any applicable	
1106. Notary Fees		rescission period required by law)	
1107. Attorney's fees			
(includes above items No.)	815.60		
1108. Title Insurance to Commonwealth Land Title Ins. Comp/PTC			
(includes above items No.)			
1109. Lender's Policy \$ 318,750.00 - 815.60			
1110. Owner's Policy \$ -	✓ 40.00		
1111. Courier Fee to Federal Express	✓ 50.00		
1112. Release Preparation Fee to Presidential Title Company, LLC	✓ 15.00		
1113. Incoming Wire Fee to Bank of America			
1200. Government Recording and Transfer Charges	46.00		
1201. Recording Fees : Mortgage \$46.00	265.67		
1202. County Transfer Tax : Mortgage \$265.67	797.00		
1203. State Tax : Mortgage \$797.00			
1204. Grantors Tax			
1300. Additional Settlement Charges			
1301. Survey			
1302. Pest Inspection	19,274.54		
1400. Total Settlement Charges (enter on line 1602)			

I have carefully reviewed the HUD-1A Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1A Settlement Statement.

TITO FLORES

The HUD-1A Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

SETTLEMENT AGENT By:

DATE

11.17.06

DEFENDANT'S
EXHIBIT

B